

Claim Amendments

1. Cancelled without prejudice and rewritten as claim 17.
2. Cancelled
3. (Currently amended) The porous, non-friable polymer film according to claim [[1]]
17, wherein the [[particulate]] film forming polymer particles [[has]] have a Tg not greater than 20°C and the [[particulate]] non-film forming [[material is a]] polymer particles have [[having]] a Tg of at least 30°C.
4. (Currently amended) The porous, non-friable polymer film according to claim [[1]]
17, wherein the non-film forming polymer particles [[material is selected]] are prepared from [[the group consisting of:]] acrylic [[latex]] polymers [[, hollow polymer particles, core-shell polymers, acrylic polymers, polymer encapsulants, large dimension emulsion polymers, inorganic compositions, inorganic compositions with adsorbed compounds, and mixtures thereof]].
5. (Currently amended) The porous, non-friable polymer film according to claim [[2]]
17, wherein the film forming latex polymer particles have particle diameters 20 % or less in size than particle diameters of the [[particulate]] non-film forming polymer particles [[material]].
6. (Currently amended) The porous, non-friable polymer film according to claim [[1]]
17, wherein the polymer film maintains porosity up to 160°C.
7. Cancelled without prejudice
8. Cancelled without prejudice

9. (Cancelled without prejudice per restriction)

10. (Cancelled without prejudice per restriction)

11. (Cancelled without prejudice per restriction)

12. (Cancelled without prejudice per restriction)

13. (Cancelled without prejudice per restriction)

14. (Cancelled without prejudice per restriction)

15. (Cancelled without prejudice per restriction)

16. (Cancelled without prejudice per restriction)

17. (New) A porous, non-friable polymer film having a network of pores or channels throughout comprising: a blend of (a) at least one aqueous latex dispersion of polymer particles that are non-film forming; and (b) at least one aqueous latex dispersion of polymer particles that are film forming, wherein polymer particles of (b) have diameters small enough to fit into interstices formed between polymer particles of (a) and wherein the film forming polymer particles are present in the blend in an amount from between 5 and 35%, based on the total volume of (a) and (b).

Support for Amendments

Applicants have reviewed Examiners proposed amendments to claims 1, 3 and 4-6 and the rewriting of claim 1 as new claim 17. Applicants have added some minor changes for further clarification. Support for an aqueous latex dispersion of polymer particles in claim 17 and dependent claims 3, and 4-6 is found at page 25, line 5.

Response to 35 U.S.C. § 112(1st ¶) Rejection of Claims 4, 7 and 8

The Examiner has rejected Claims 1-8 under 35 U.S.C. 112(1st ¶) as not enabled, since the Examiner asserts the specification and claims are not commensurate in scope. Applicants traverse the rejection in view of Applicants amendments and new independent claim 17 (rewritten from claim 1). Dependent claim 4 also incorporates Examiners amendments. Applicants cancel claims 7 and 8 without prejudice. Applicants believe the amendments to claims 17 obviate the rejection of claim 4 under 35 U.S.C. 112(1st ¶).

Response to 35 U.S.C. § 112(1st and 2nd ¶) Rejection of Claims 1-8

The Examiner has rejected Claims 1-8 under 35 U.S.C. 112(1st and 2nd ¶) as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicants traverse the rejection in view of Applicants amendments and new independent claim 17 (rewritten from claim 1). Dependent claims 3 and 4-6 also incorporates Examiners amendments. Applicants cancel claims 2, 7 and 8 without prejudice. Applicants believe claim 17 and the amendments to claims 3 and 4-6 obviate the rejection under 35 U.S.C. 112(1st and 2nd ¶).